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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
INCL. 10/20/09
US DISTRICT COURT E.D.N.Y.

★ JUL 20 2009 ★

-----x
MONTAGUE RILEY,

Plaintiff,

-against-

GEORGE E. HODGE III,

Defendant.
-----x

LONG ISLAND OFFICE

7/23/09
VERDICT SHEET

05-CV-5168 (JS) (MLO)

SEYBERT, District Judge:

< < ALL JURORS MUST AGREE ON THE ANSWERS TO ALL QUESTIONS > >

PART ONE - LIABILITY

SECTION 1983 CLAIM AGAINST DEFENDANT GEORGE E. HODGE III

1. Has Plaintiff Montague Riley proved by a preponderance of the evidence that his federal constitutional right not to be subjected to excessive or unreasonable force during an arrest was violated?

YES

NO

If you answer "Yes," continue to Question 2. If you answer "No," skip the remaining questions.

2. Has Plaintiff Montague Riley proved by a preponderance of the evidence that Defendant George E. Hodge III intentionally committed acts that violated his federal constitutional right not to be subjected to excessive or unreasonable force during an arrest?

YES

NO

3. Has Plaintiff Montague Riley proved by a preponderance of the evidence that Defendant George E. Hodge III's acts were the proximate or legal cause of the injuries he sustained, including any nominal injuries he suffered as a result of the violation of his federal constitutional rights?

YES

NO

If you answer "No" to either Question 2 or Question 3, skip the remaining questions.

PART TWO - DAMAGES

1. Has the Plaintiff Montague Riley proven by a preponderance of the evidence that he is entitled to an award of compensatory damages from Defendant George E. Hodge III as a result of Defendant Hodge's violations of Mr. Riley's federal constitutional right not to be subject to excessive or unreasonable force during an arrest?

YES

NO

If you answer "YES" please continue to Question 2.

If your answer "NO" please go to Question 3.

2. If you answered "YES" to question 1, state separately the amount awarded for Plaintiff Montague Riley's compensatory damages, including physical and emotional injuries, pain and suffering, if any:

\$

(amount of compensatory damages)

If you answered Question 2, please go to Question 4 and skip Question 3.

3. If you found that Defendant George E. Hodge III violated Plaintiff Montague Riley's federal constitutional right not to be subject to excessive or unreasonable force during an arrest, but also found that Plaintiff Montague Riley is not entitled to an award of compensatory damages, you must award nominal damages in an amount not to exceed the sum of one dollar as against Defendant George E. Hodge III.

\$

(amount of nominal damages)

Please continue to Question 4.

4. Did Defendant George E. Hodge III act maliciously or wantonly in violating Plaintiff Montague Riley's federal constitutional rights, or were Defendant George E. Hodge III's acts towards Plaintiff Montague Riley oppressively done?

If you answer "YES" to Question 4, continue to Question 5.

If you answer "NO" to Question 4, skip Question 5.

5. Please enter an amount of punitive damages to award Plaintiff Montague Riley against Defendant George E. Hodge III, for the purpose of punishing Defendant George E. Hodge III, and to serve as an example or warning to others not to engage in such conduct.

\$ (amount of punitive damages)

PLEASE GO TO THE LAST PAGE OF THIS FORM, HAVE THE FOREPERSON SIGN AND DATE WHERE INDICATED, AND NOTIFY THE COURT.

Frederick R. Roerden 7/20/09
Foreman - Juror #2

COURT EXHIBIT

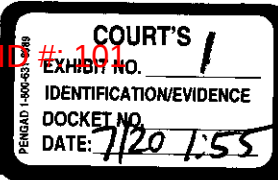
7/20
2 2:50

We have reached a verdict.

Fred Roerden 7/20/09

Foreman

Juror #2



~~IS THE EXCESSIVE FORCE~~

MAN ON
MAN

IS HODGE BEING CHARGED FOR HIS INDIVIDUAL
ACTIONS OR FOR HIS AUTHORITY (SENIOR ACTING
OFFICER) ON THE SCENE ?

Fred Roeder
Fireman
Junior #2